

**REMARKS**

Applicants respectfully request further examination and consideration in view of the arguments set forth fully below. Within the Office Action mailed on July 9, 2008 (hereafter “Office Action”) and the Advisory Action mailed on October 7, 2008 (hereafter “Advisory Action”), Claims 1-26 have been rejected. Claims 18-22 have been canceled. New Claims 27-31 have been added. Accordingly, Claims 1-17 and 23-31 are currently pending.

**Rejections Under 35 U.S.C. § 103**

Claims 1-15 and 17-26 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0064757 to Yamadera et al. (hereinafter “Yamadera”) in view of U.S. Patent Application No. 7,188,320 to Landers (hereinafter “Landers”). Applicants respectfully traverse this rejection because neither Yamadera, Landers nor their combination teach the present claimed invention.

As recognized by the Office Action, Yamadera does not teach a device wherein the two dimensional key is configured as a single button and wherein the four sets of contact points are used to select and perform an action corresponding to one of a plurality of main menu items. If this is true, Yamadera further does not teach the limitation of a device wherein the two dimensional key is configured as a single button and wherein the four sets of contact points are used to select and perform an action corresponding to “a sub-menu item of the sub-menu associated with a selected main menu item.”

Landers is recited for teaching that “both a menu and sub-menu items can be selected and indicated action may be performed on the selected item using the navigation key.” [Office Action, page 9, lines 3-5] Applicants respectfully disagree. Landers requires a user to press a soft key to perform the indicated action, such as composing to one of a list of buddies. Landers merely teaches a navigation routine allowing a user to move to a submenu and would not allow the user to select and perform the indicated submenu item without having to press a soft key. [Landers col. 2, line 67-col. 3, line 13]

The present invention as claimed is distinguishable from the teaching of Yamadera, Landers and their combination. Each of the independent claims 1, 23 and 27 includes the limitation “a two-dimensional navigation key configured as a single-button including four sets of contact points, wherein the two-dimensional navigation key is configured to select and perform an action corresponding to one of a plurality of main menu items of the main menu and to select and perform an action corresponding to a sub-menu item of the sub-menu associated with a

selected main menu item using the four sets of contact points” (emphasis added). As described above, neither Yamadera, Landers nor their combination teaches “a two-dimensional navigation key configured as a single-button including four sets of contact points, wherein the two-dimensional navigation key is configured to select and perform an action corresponding to one of a plurality of main menu items of the main menu and to select and perform an action corresponding to a sub-menu item of the sub-menu associated with a selected main menu item using the four sets of contact points.” For at least these reasons, the independent claims 1, 23 and 27 are each allowable over Yamadera in view of Landers. Claims 2-15 and 17 are dependent upon the independent claim 1. Claims 24-26 are dependent upon the independent claim 23. Claims 28-31 are dependent upon the independent claim 27. Accordingly, Claims 2-15, 17, 24-26 and 28-31 are allowable as being dependent upon an allowable base claim, and are now in condition for allowance.

Within the Office Action, claim 16 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamadera in view of Landers and further in view of U.S. Patent No. 6,463,304 to Smethers. Claim 16 is dependent on the independent claim 1. As discussed above, the independent claim 1 is allowable over the teachings of Yamadera in view of Landers. Accordingly, claim 16 is allowable as being dependent upon an allowable base claim, and is now in condition for allowance.

//

**Conclusion**

For the reasons given above, Applicants respectfully submit that the claims 1-17 and 23-31 are in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, the Examiner is encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,

HAVERSTOCK & OWENS LLP

Dated: 11-10-08

By: Thomas B. Haverstock

Thomas B. Haverstock

Reg. No.: 32,571

Attorney for Applicants

CERTIFICATE OF MAILING  
I hereby certify that this page (including the enclosed envelope) is being deposited with the United States Postal Service on the date shown below and that postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Washington, DC 20544-01450.

HAVERSTOCK & OWENS LLP

Date: 11/10/08 By: RS